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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,000	04/02/2004	James Vogeley	4209-26	7279

23117 7590 07/20/2007  
NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER
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RODRIGUEZ, WILLIAM H

ART UNIT	PAPER NUMBER
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3746

MAIL DATE	DELIVERY MODE
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07/20/2007

PAPER.

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### DETAILED ACTION

Applicant states that the IDS filed on 7/5/2007 is a duplicate of the information disclosure statements filed on 6/5/2007 and 6/22/2007. However, a review of the electronic file reveals that no IDS was ever filed on 6/22/2007. The second page of the IDS filed on 7/5/07 lists the same references as in the IDS filed on 6/5/07, which has already been considered. The **references listed in the first page of the IDS filed on 7/5/07 have not been considered** for the reasons stated below.

#### *Information Disclosure Statement*

1. The information disclosure statement (***page 1 of the IDS filed on 7/5/07***) filed on 7/5/07 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered.
2. The information disclosure statement (***page 1 of the IDS filed on 7/5/07***) filed on 7/5/07 fails to comply with 37 CFR 1.97(d) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. Rodríguez whose telephone number is 571-272-4831. The examiner can normally be reached on Monday-Friday 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William H. Rodríguez/  
Primary Examiner  
Art Unit 3746

7/18/07